

## **CONDITIONAL USE ANALYSIS**

### **March 11, 2009**

**C-1-2009**

**K.D.A Business Park Reception Center**

**3572 South 1950 West**

**C-2 Zone (.55 Acres)**

The following application was continued from the February 25, 2009 hearing to allow time for the applicant to submit additional information regarding the parking and uses on site.

The applicant, Delyle Billings, is requesting a conditional use permit for a Reception Center at 3572 South 1950 West. The zoning for this area is C-2, General Commercial. The West Valley City General Plan anticipates General Commercial uses for this area. The surrounding zones are C-2, A and R-1-8. The use is proposed in a building that is part of a larger office/warehouse complex. There is single family residential located to the west, a residential condominium project to the south, an auto repair/storage lot to the north and additional commercial uses located to the east.

Mr. Billings is proposing to utilize 7,000 square feet of an existing building on site for a reception center (5,000 reception area and 2,000 sqft kitchen, restroom and storage area). Mr. Billings has indicated that the facility will primarily be used for wedding receptions and birthdays parties, all of which will be private parties, where guests will be attending events by invitation only and that events held here will not be open to the general public.

Parking is typically a concern for this type of use and parking is required at 1 space/50 square feet of floor area. Which would equal 140 parking spaces for the 7,000 square foot reception center. A site review was conducted and there are 156 parking spaces on site. However, these spaces are also used by the other businesses in this complex, which was developed as a commercial condo project, so there are a variety of land owners. The parking is currently all owned by Mr. Billings, and there is a shared access agreement for the businesses to use the parking lot during business hours. The reception center would operate from 6:00 p.m. – 10:00 p.m. and Mr. Billings has indicated that the majority of the businesses close by 6:00 p.m. There is a dance studio located on the west side of the site that closes at 8:00 p.m. Monday – Thursday and a church that is located in the same building as the reception center that has some evening services for a very small congregation. Staff has attached a copy of the shared parking calculations showing that there is enough parking for the mix of uses and the hours of operation for the businesses at this location. However, if the tenant mix or hours of operation change at this location another parking study would need to be conducted to verify compliance. Parking will also be monitored by staff as new business licenses are submitted at this location.

Noise is also a concern at this location due to it's proximity to residential uses. The building is within 500' of residential property so this use will be required to meet the following requirements from the West Valley City Code:

7-6-1012. ADDITIONAL REGULATION OF RESTAURANTS, DANCE HALLS, CONCERT HALLS, RECEPTION CENTERS AND PRIVATE CLUBS.

(1) It is unlawful for the keeper, manager or person in charge of any restaurant, dance hall, concert hall reception center or private club to permit any singing, dancing, playing of musical instruments or any other form of amusement or entertainment to be carried on the premises when the closest point of the building is within 500 of feet of any residential property line after ten o'clock P.M. (10:00) P.M. and before six o'clock (6:00) A.M. This restriction should be extended to two o'clock (2:00) a.m. on January 1 of year for New Year's Day.

(2) Parking lots must be closed and vacated within thirty (30) minutes of closing by security personnel.

In addition to the limited hours of operation, Mr. Billings has also indicated that in an effort to minimize the impacts to the adjacent residences, that the primary parking area for the reception center will be located along the north side of the site and that the south side would only be used on a limited basis if necessary.

Signage has not been submitted at this time however, there is an existing multi tenant monument sign on the property that the applicant may utilize. Any wall signs would be required to meet the West Valley City Sign standards as well.

**Staff Alternatives:**

**Continuance**, to allow for the resolutions of any issues raised at the public hearing as well as the following:

1. The occupancy requirements must be in accordance with the West Valley City Fire and Building Inspection Departments requirements.
2. The parking for this use must be located in properly designated parking areas on site and must be located on asphalt or concrete as approved by West Valley City. Gravel can not be used for surfacing for the parking and 1950 West can not be utilized for parking.
3. Parking for the reception center is encouraged along the north side of the building and the south side should be used on a limited basis.
4. The parking area is shared between several businesses on site but the mix of uses and hours of operation shall always comply with the shared parking calculations set forth in Chapter 7-9 of the West Valley City Municipal Code.
5. If the site is further developed, as proposed in the Billings Office/Warehouse development, the parking for this site shall be re-evaluated.

6. This use shall adhere to the requirements set forth in 7-6-1012 ADDITIONAL REGULATION OF RESTAURANTS, DANCE HALLS, CONCERT HALLS, RECEPTION CENTERS AND PRIVATE CLUBS.
7. The hours of operation for the reception center shall be from 6:00 p.m. – 10:00 p.m. Monday-Thursday and 6:00 p.m. – 11:00 p.m. on Fridays and Saturdays.
8. Security and Medical personnel may be required on site as determined by the West Valley City Fire and Police Departments.
9. All signage shall meet the requirements set forth in the West Valley City Sign Ordinance.
10. This use is subject to review upon a valid complaint.

**Continuance**, to allow for the resolutions of any issues raised at the public hearing or to allow the applicant time to conduct a parking study and prepare an accurate site/parking plan.